

Town of Dalton, Massachusetts

ADA Self Evaluation & Transition Plan

September 6, 2022



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INTRODUCTION

Dalton, Massachusetts is an attractive small town located in central Berkshire County, first settled in 1755. With a population of approximately 6,330 people, the town offers a mix of rural and industrial characteristics, including a charming town center and small business district. Most of the town's public facilities located in the town center, including the Dalton Town Hall at 462 Main Street. The town's Police Station is also located in the lower level of the Town Hall Building.

Desiring to enhance services and inclusiveness for all its residents, the Town of Dalton seeks to increase and improve accessibility to its Town Hall, Police Station, Parks and Senior Center, as well as other facilities, by identifying barriers to accessibility and planning for future improvements. Over the course of several months, Town of Dalton officials worked with Berkshire Regional Planning Commission (BRPC) staff to develop the town's first Americans with Disabilities Act (ADA) Title II Self-Evaluation and Transition Plan. This evaluation looks at municipally owned properties only, including the town hall, police station, senior center, town garages, parks, and cemeteries. Preparation of the plan is funded by the FY20 Dalton CDBG grant from the Massachusetts Department of Housing and Community Development.

The 1990 Americans with Disabilities Act and its following 2008 amendment (ADA) requires that governments and businesses provide equal access under the law for citizens who require accommodations because of a disability. The ADA is first and foremost a civil rights law.

All federal, state, and local governments are required to have an ADA self-evaluation and transition plan on file that identifies all barriers to accessibility for programs, services, and activities offered to its citizens. This includes barriers to the built environment and the policies, training, and accommodations available by a government entity. The transition plan outlines how the Town will remove all identified barriers to accessibility including cost estimates, priority, and a timeline for removal. The Town aimed to target both structural and non-structural barriers to accessibility.

This plan is important to the continued services that residents, workers, and visitors alike enjoy. The Town of Dalton acknowledges that without full access to programs, services, activities, and public rights-of-way, the Town is not meeting its obligations not only to those with disabilities,



but all members of its community who value human rights, diversity of experience, and equal opportunity.

Public Participation and Acknowledgements

A simplified public participation strategy was developed as part of this plan, including providing the Draft plan on the Town's website. (DISCUSS HERE) BRPC consulted primarily with the Town Manager, Thomas Hutcheson, it's ADA Coordinator, Alyssa Maschino, and its Town Planner, Grant McGregor, and Kelly Pizzi, Director of the Dalton Council on Aging. BRPC staff also met with the Dalton Police Chief, Deanna Strout, and Building & Grounds Superintendent, Patrick Pettit, and Health Agent, Agnes Witkowski.

A draft of this plan will be available through the Dalton Town Managers office to those interested in providing comments on various physical aspects of the Town as relates to ADA compliance.



FEDERAL, STATE, AND LOCAL REGULATIONS

Architectural Barriers Act of 1968 (ABA)

The Architectural Barriers Act (ABA) requires that buildings and facilities that are designed, constructed, or altered with Federal funds, or leased by a Federal agency, comply with Federal standards for physical accessibility. ABA requirements are limited to architectural standards in new and altered buildings and in newly leased facilities.

Section 504 of The Rehabilitation Act of 1973

Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service.

Each Federal agency has its own set of section 504 regulations that apply to its own programs. Agencies that provide Federal financial assistance also have section 504 regulations covering entities that receive Federal aid. Requirements common to these regulations include reasonable accommodation for employees with disabilities; program accessibility; effective communication with people who have hearing or vision disabilities; and accessible new construction and alterations.

The Americans with Disabilities Act of 1990 (ADA)

The ADA prohibits discrimination based on disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress. There are four titles that outline ADA requirements for employment, state and local government activities including public transportation, public accommodations including historic properties, and telecommunications access.



Title II, one of five separate titles of the ADA, applies specifically to “public entities” and the programs, services, and activities they provide. This title outlines the requirements for the self-evaluation, Transition Plan and appointing an ADA coordinator.

In 1992, the U.S. Department of Justice issued 28 Code of Federal Regulations (CFR) Part 35, Nondiscrimination on the Basis of Disability in State and Local Governmental Services, to implement Subtitle A of Title II. This regulation extended the prohibition of discrimination in federally assisted programs already established by Section 504 of the Rehabilitation Act to all activities of state and local governments, including those that do not receive federal financial assistance.

THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN (ADA STANDARDS)

The ADA Standards outline the requirements necessary to make a building or other facility physically accessible to people with disabilities. The Standards are a comprehensive guide that identifies what features will need to be accessible and list the specifications required to make them compliant with the ADA.

Accessibility and Discrimination

Accessibility plays a significant role in the inclusion of people with disabilities. The first step toward encouraging full community participation and fulfilling the rights of people with disabilities is creating an accessible, barrier-free environment. Regulations require that structural barriers be removed in public areas of existing facilities when such removal is readily achievable. Barriers typically found in public areas include routes of travel requiring the use of stairs, non-ADA compliant ramps, door widths that cannot accommodate the passage of a wheelchair, and the location of door handles that are too high, among other elements.

Discrimination against individuals with disabilities occurs when a person is perceived differently, treated differently, and struggles to gain acceptance at a level experienced by their non-disabled peers. Often, physical barriers encountered by people with disabilities can be perceived as discrimination because they exclude that individual from reaching their desired destination or performing a specific task or action. According to the ADA, all state and local governments are



required to follow specific architectural standards in either the new construction or the alteration of existing buildings unless the corrective actions would result in undue financial or administrative burdens. To avoid discriminating against those with disabilities, public entities are required to make reasonable modifications. These modifications will provide equality of opportunity, but the county cannot guarantee equality of results.

Program Accessibility

Title II requires local governmental agencies to ensure that all their programs, services, and activities, when viewed in their entirety, are accessible to persons with disabilities. Program access is intended to remove physical barriers to the local governmental agency services, programs, and activities, but it generally does not require that the local governmental agency make each facility, or each part of any given facility, accessible. For example, every restroom in each facility does not need to be made accessible. However, signage directing persons with disabilities to the accessible features and spaces within that given facility must be provided.

Program accessibility may be achieved in a variety of ways. Local governmental agencies may choose to make structural changes or pursue alternatives to structural changes to achieve access. For example, the local governmental agency can move public meetings to accessible buildings and relocate services for individuals with disabilities to accessible levels or parts of a building. It should be noted that when choosing between possible methods of program accessibility, the local governmental agency must give priority to the choices that offer services, programs, and activities in the most integrated setting that is available and appropriate. Additionally, all newly constructed public facilities must be fully accessible to people with disabilities.

Undue Burden

A “grandfather clause” does not exist in the ADA; however, the law is flexible. Local government agencies must comply with Title II of the ADA and must provide program access for all individuals. With respect to complying with Title II, a local governmental agency does not have to take any action to make a feature compliant to ADA standards if that agency can demonstrate that the alteration will result in the creation of a fundamental alteration to the program or service or will



cause undue financial and/or administrative burden. The determination of an undue burden can only be made by the head of the local public agency (or a designee) and must be accompanied by a written statement outlining the reasons for reaching such a conclusion. In order to establish that an alteration of a feature will cause undue financial and/or administrative burden, an evaluation of all resources available for use in the program must be completed. The evaluation of these resources must include the amount of financial resources available, the effect on expenses and resources, the type and location of the facility, and the number of employees at the site.

If an alteration of a feature would result in a burden, the public entity must take any other action that would not result in an undue burden but would ensure that individuals with disabilities receive the benefits and services of the program or activity.

Safe Harbor

Elements in facilities built or altered before March 15, 2012, that comply with the 1991 ADA Standards for Accessible Design (1991 Standards) are not required to be modified to specifications in the 2010 Standards. For example, the 1991 Standards allow the maximum side reach control part of a paper towel dispenser to be 54 inches. The 2010 Standards lower that side reach range to 48 inches maximum. If a paper towel dispenser was installed prior to March 15, 2012, with its highest operating part at 54 inches, the paper towel dispenser does not need to be lowered to 48 inches. Since the dispenser complies with the 1991 Standards, that Standard provides a “safe harbor”.

Historic Properties

Exceptions to the ADA have been made for historic properties that are listed, or are eligible for listing, in the National Register of Historic Places or a property designated as historic under state or local law. A public entity is not required to make alterations that would destroy or threaten the historical significance of an historic property. In such a case, alternative requirements may be used as discussed in 28 CFR 36.405 and ADAAG 4.1.7(3). An example of an alternative requirement would include providing displays and written information in a location where they can be seen by a seated person.



Curb Ramps

When streets and roads are either newly built or altered, ramps must be constructed whenever curbs or other physical barriers exist at the connection point between the roadway and a pedestrian walkway. Likewise, when new sidewalks or walkways are built or altered, they must also contain curb ramps or sloped areas wherever they intersect with a street or roadway. However, on existing roads and sidewalks that have not been altered, local governmental agencies may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb, but they are not necessarily required to do so. Under program access, alternative routes to buildings that make use of existing curb ramps may be acceptable where persons with disabilities must only travel a marginally longer route.

ADA TITLE II SELF-EVALUATION REQUIREMENTS

The self-evaluation plan helps determine the adequacy of ADA compliance in public buildings and to ensure that there is no discrimination in services, meetings, and programs provided by the Town. If the Town decides there is an undue burden in providing access or services, such as a fundamental alteration of a building or service provided or a financial burden, state and local governments must ensure that these decisions are made properly and expeditiously. Specific activities that should be evaluated relate to access, inclusion, communication, and safety. The self-evaluation needs to include the persons consulted, problem areas, and a description of any modifications that have been made.¹ The activities and requirements that should be evaluated are listed below.

Ensure Access to buildings, programs, meetings, and activities

- All physical barriers to accessibility should be removed
- Residents should have adequate access to public meetings
- Construction & Design standards should be met

¹ American with Disabilities Act Title II Regulations (2016) Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services. From: www.ada.gov/ada_req_ta.htm

- Historic buildings include access for disabled where reasonable

Inclusion and Non-Discrimination of Disabled People

- Ensure program materials are not offensive to the disabled
- Ensure employment practices are not discriminatory to disabled
- Ensure programs, activities, and services are not exclusionary to those with disabilities and former drug users

Availability of Proper Alternative Communication Methods

- Communicate effectively with disabled by providing direct access for TDD's and TTY's.
- Have a method for including provisions for readers or interpreters for impaired people. If equipment is required, make sure it works properly and is maintained.
- Ensure employees are familiar with the policies and practices for the full participation of individuals with disabilities.

Proper Safety Procedures

- Evaluate procedures to evacuate individuals with disabilities during an emergency. Visual and audible warning signals, and procedures for assisting individuals from a facility during an emergency should all be included.

MASSACHUSETTS ARCHITECTURAL ACCESS BOARD – M.G.L. C. 22 SECTION 13A

The Massachusetts Architectural Access Board (MAAB) is a regulatory agency within the Massachusetts Office of Public Safety that develops and enforces regulations to make public building accessible to, functional for, and safe for use by persons with disabilities. MAAB regulations are outlined and enforceable as part of the Massachusetts Building Code.

Disability Rights are Civil Rights



THREE PRELIMINARY STEPS TO ADA COMPLIANCE

The following procedures and accompanying documentation are required as part of the ADA Title II Compliance:

Designation of an ADA Coordinator

Title II of the ADA applies to programs, services, and agencies of state and local governments, regardless of the size of the public entity. It is important for all municipalities to designate at least one municipal employee to take on the functional responsibilities as an ADA Coordinator. This position bears the full responsibility of implementing the ADA within a Title II entity.



The most important requirement of an ADA Coordinator is the ability to learn and understand all of the ADA regulations as it pertains to the municipality. It must be recognized that the ADA is a Civil Rights Law and not a building code. A person in this position should:

- Have knowledge of all municipal programs, services, and eligibility requirements.
- Be familiar with Human Resources as it applies to employment issues for policy changes, grievances, and effective accommodations.
- Have access to facilities personnel and local Building Inspectors for consultation on architectural accessibility concerns.
- Have knowledge of the municipal ADA Transition Plan and administration of the plan's compliance, amendments, and reviews.

Posting of an ADA Notice

The Town shall publicly post notice that the Town abides by Title II of the Americans with Disabilities Act (ADA). This notice shall be posted in perpetuity located in at least one prominent public area usually designated as a public information site. Publishing and publicizing the ADA notice is not a one-time requirement. State and local governments should provide the information on an ongoing basis, whenever necessary. If the Town the radio, newspaper, television, or mailings, then it will re-publish and re-broadcast the notice periodically.

The notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity.

The notice should not be overwhelming. An effective notice states the basics of what the ADA requires of the state or local government without being too lengthy, legalistic, or complicated. It should include the name and contact information of the ADA Coordinator.

This chapter contains a model "Notice Under the Americans with Disabilities Act" created by the Department of Justice. It is a one-page document in a standard font, and includes brief statements about:

- Employment,
- Effective communication,
- Making reasonable modifications to policies and programs,

- Not placing surcharges on modifications or auxiliary aids and services, and
- Filing complaints.

Posting of General ADA Grievance Procedure

The Town shall publicly post the Town of Dalton's "Grievance Procedure under the Americans with Disabilities Act."

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances arising under Title II of the ADA.³ Grievance procedures set out a system for resolving complaints of disability discrimination in a prompt and fair manner.

Neither Title II nor its implementing regulations describe what ADA grievance procedures must include. However, the Department of Justice has developed a model grievance procedure that is included at the end of this chapter.

The grievance procedure should include:

- A description of how and where a complaint under Title II may be filed with the government entity.
- If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative.
- A description of the time frames and processes to be followed by the complainant and the government entity.
- Information on how to appeal an adverse decision.
- A statement of how long complaint files will be retained.

SELF-EVALUATION AND TRANSITION PLAN

Self-Evaluation

The ADA Title II Self-Evaluation is an assessment of all programs, services, and activities provided by the Town. For the plan's self-evaluation, ADA compliance was evaluated for town policies,



accommodations, and trainings available to town employees who serve all residents and visitors. In addition, municipal buildings, and parks where services, programs, and activities provided by the Town are also evaluated. The self-evaluation of facilities then determined the existing level of accessibility, ranging from inaccessible to fully accessible, depending on the identified barriers. It is important to note that providing access includes the hearing and visually impaired, as well as those with mobility challenges.

Transition Plan

As for any community, transitioning into full ADA compliance is a long-term goal for the Town of Dalton. Full ADA compliance can only be achieved through evaluating the existing conditions that present barriers to accessibility, and then carefully planning and providing support for the required improvements. A transition to full compliance is not expected to be immediate; improvements should be planned as funding from various sources becomes available and coordinated to occur as other capital improvements are undertaken. A list of possible grants and funding sources is included at the conclusion of this Plan, in Appendix F.



EVALUATION OF TOWN POLICIES AND PROCEDURES

Evaluation of policies and procedures that will have an impact on equal access to town services, programs, and activities is required under Title II of the Americans with Disabilities Act. Inadequate or non-existent policies and procedures can be a large non-structural barrier to equal access for people with disabilities. As a small local government, it is not unusual that Dalton has not yet had the opportunity to implement policies and procedures required under Title II of the ADA. Dalton is currently working towards drafting and posting a public notice of non-discrimination and an ADA grievance procedure. The Town has created the role of ADA Coordinator and appointed a town hall staff member, Alyssa Maschino, to serve in that role. It is important that Ms. Maschino, as well as other key town staff, receive training in awareness of and response to the responsibilities of the position. With their recent efforts to implement projects that make town buildings more accessible, the Town has committed to implementing helpful and accommodating policies that will make them better aligned with Title II requirements.

BRPC staff worked with town staff to evaluate other town policies and procedures that may already be in place or should be in place to better accommodate people with disabilities. This includes department-specific trainings, policies or procedures, as well as emergency management, and access to voting, town departments, and town boards and commissions.

EVALUATION OF TOWN DEPARTMENTS

The Town identified 18 boards or officials that provide services to the public, which are summarized in the following table. The services that are provided include direct government services, activities that the public can participate in, and emergency services.

Depts.	Services	ADA Training	ADA Policy	Accommodations
Animal Control Officer	<p>The Dalton Animal Control Officer (ACO) also functions as the State Animal Inspector. Duties include but are not limited to the following:</p> <ul style="list-style-type: none"> • Ensures the licensing and vaccinations of animals • Returning lost animals to their owners • Ensures the local Barns are inspected annually • Barking dog complaints • Cruelty to animal investigations • Quarantining of animals when necessary 	No	No	None
Board of Assessors	Serves the public with information on real estate, personal property, motor vehicle excise and chapter land assessments, in addition to tax mapping within the Town	No	No	None
Health Department	Perform many crucial and important duties relative to the protection of the public health, control of disease, promotion of sanitary living conditions and the protection of the environment from pollution. This includes performing restaurant, public pool and housing inspections as well as reviewing plans for private wells and septic systems and investigating nuisance complaints. Enforcement of state and local regulations regarding residential camps, refuse hauling, tobacco sales, and body art establishments are also required.	No	No	None
Building and Grounds	Responsible for the care and maintenance of town buildings and grounds and the procurement of goods and services for departments within the Town of Dalton.	No	No	None
Council on Aging	identify emerging needs, advise staff and advocate for appropriate community services. As community leaders, they guide and educate seniors and community leaders of existing resources addressing transportation, socialization, fitness,	No	No	ADA Accommodations in the Senior Center

	nutrition, outreach, health, benefits counseling, and recreation.			
Emergency Management	Emergency response	No	No	None
Highway / Cemetery / Sewer Dept.	Meetings, building maintenance, salt shed	No	No	None
Library (private entity)	Books, programs, and services at library	No	No	None
Police Department	Emergencies, meetings	No	No	None
Town Manager	Oversees all appointed department heads, manages long-term financial plan and preparation of the annual Town budget, oversees municipal procurement	No	No	None
Town Clerk	Business certificate (dba), notarization of documents, payment of non-criminal complaint violations, posting meetings for all municipal boards and committees, vital statistics - births, marriage and death certificates, voter registration, town calendar, town meeting minutes, licenses	No	No	None
Town Collector	Tax collection	No	No	None
Transfer Station	Waste drop-off	No	No	None
Treasurer	Accounts for all money belonging to the Town; investing, disbursing, recording and the reconciliation of bank accounts. The treasurer's office processes payroll, tracks all fringe benefits, and maintains employee personnel files. It also represents the town in the retirement system, manages all deferred compensation, cafeteria plans and coordinates insurance policies. Also handled are the reporting of all accidents and claim forms. The office maintains and collects tax title accounts and enters into payment agreements with taxpayers for delinquent taxes.	No	No	None
Water & Sewer Department	Provision of Water & Wastewater services	No	No	None
Select Board	Play an important role in coordinating the Town's policy and its strategic direction	No	No	None
Town Moderator	Preside over all Annual and Special Town Meetings	No	No	None



Town Planner	Works with various Town officials and the community to identify, plan, and carry out activities that advance the quality of life, preserve natural resources, enhance economic climate of the Town of Dalton. The Town Planner works with the Planning Board on land use issues including development and revisions of the Zoning Bylaws and Subdivision Regulations and provides technical guidance on Site Plan and Special Permit applications before the Planning Board and the Zoning Board of Appeals. The Town Planner also works with the Dalton Development Industrial Commission and Dalton Redevelopment Authority to promote and develop the industrial resources of the town.	No	No	None
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SUMMARY OF MAJOR FINDINGS

- The Town has provided the required administrative notices as follows: A Grievance Procedure under the ADA; A Notice of the Town’s commitment to equal access to activities, programs, and facilities; A written notice of contact information for the ADA Coordinator, (We note that the Town has appointed, Alyssa Maschino to that position.) Copies of the draft Notices are included in Appendix E of this Plan.
- The Town should consider ADA training for multiple employees, and for representative of several town departments, including the Dalton ADA Coordinator, the Town Emergency Management Department, and the Police Department; once these individuals are training in the current ADA requirements, they may then in turn help to inform and train other town employees.
- Various Town departments lack specific policies and procedures in addressing the needs of disabled community members and should establish a Council on Disabilities to work with the ADA Coordinator to draft such policies and procedures, including public input, for eventual adoption by the Town.
- The Town Hall, which includes the Police Station, was found to be inaccessible with major improvements required, as set forth in the plan.

- The Highway Garage is not ADA accessible but is also infrequently accessed by the general public. Improvements here would potentially benefit town employees.
- In order to be prepared in case of natural or other disasters, it is extremely important that emergency management and other emergency services have had the training to accommodate persons with disabilities.
- The town has not used TTY (text telephone) or any other equipment to accommodate persons with disabilities.
- Except for the Town Manager, other personnel in the Town Hall have not been trained or has had experience with making accommodations for people with disabilities including providing braille, large text documents, or closed captioning video.
- Documents on the website are not provided in alternate formats other than pdf. There is no information on the website regarding provision of services to those with disabilities.
- Ice could cause a slipping hazard in the Town Hall – adjacent parking areas and walkways during the winter. It is important to have written policies in place formalizing responsibility for clearing handicapped parking areas and access walkways.
- Handicapped parking areas should be as close to a town facility's ADA-accessible entrance as possible, be appropriately painted and signed, and include the required ADA access aisles.
- Handicapped parking, accessible paths and routes, and ADA informational signage needs to be installed at the Town's public parks.
- With the exception of the Dalton Senior Center, all of the Town's public buildings and facilities have some need to improve accessibility, beyond simply establishing ADA-accessible parking.
- The Town should prioritize ADA improvements in the Town Hall and Police Station and incorporate specific projects for the elimination of accessibility barriers into its annual capital budgets, with the goal of eliminating all ADA architectural barriers within the next 5 years.

RECOMMENDED NEXT STEPS

The ADA self-evaluation highlights that many of the town's facilities, including the town hall, police station and town parks, are quite aged, and certainly not built with accessibility in mind. More recently, the Town of Dalton has taken a larger responsibility in ensuring ADA improvements, including the installation of the chair lift in the lobby of the building closest to the Select Board Meeting Room. While this is a step in the right direction, the lift answers the need to accommodate only one type of disability, that of a wheelchair bound or seriously mobility-compromised individual. It does not answer other ADA requirements regarding the location and type of ADA parking, the condition of the ramp from the HC parking to the rear door, the lack of appropriate ADA informational signage, and the lack of automatic push-button door openers on any of the town hall access doors. Furthermore, the lift is unlikely to be used without assistance from a 2nd, able-bodied individual, which means that the disabled person cannot independently access the main floor of town hall, where most town services are located. There are many other types of disabilities challenging the population, including sight and hearing impairments, and age-related arthritic conditions that may prevent an individual from using their hands to open doors, etc. Meeting the current ADA requirements now in effect will allow the town to address many of these situations.

Dalton is currently at the initial stage of improving ADA accessibility in town facilities, as exemplified by the initiation of this Plan, but is at this time grappling with the lack of formal policies, training, and accommodations for people with disabilities. While making buildings accessible is a priority, creating the framework to enhance awareness of ADA compliance will be important steps for the town. The town has begun this process by appointing Alissa Maschino as ADA Coordinator. Other recommended next steps include:

- 1.) The Town Manager, ADA Coordinator and Town Planner should review the draft Self-evaluation and Transition Plan and consider including input from department heads regarding their views on preliminary priorities, and what transition and action plan items that can and should be incorporated into other town plans.



2.) Provide a copy of the draft Plan for public input. Public input can be solicited through posting the draft Plan on the town website for a specified period of time and providing a method for the collection of public input. This could also include holding an information meeting and/or input session, and otherwise working with community members to determine their interest and concerns.

3.) Present the draft Plan, including input from the public, and the Town Manager's preliminary recommendation regarding prioritization of projects to the Dalton Select Board.

4.) The Select Board may choose to accept the Plan as is, and/or to consider creating an Advisory Committee and/or Commission on Disabilities to work with the ADA Coordinator and allow for regular public comment input as the town makes progress on first priorities.

5.) The town should move to immediately implement the highest priority projects, as per the Town Manager's recommendations, especially those that are critical to public safety and/or have a low cost and important impact to town services.

6.) Provide ADA Accessibility Training for Town Employees: The Town should commit to providing any trainings available to town employees regarding Title II ADA Compliance, such as from the Massachusetts Office on Disability and/or the Massachusetts Department of Transportation.

7.) The Town should incorporate projects for the elimination of accessibility barriers into its annual capital budgeting process. In addition, the town should seek funding and grants through the Massachusetts Office on Disability and other sources. The transition plan proposes timelines for projects on individual elements, once they can reasonably be undertaken, based on the size and complexity of the projects.

8.) Post Final Plan on the Web: Once all public input has been considered, town priorities have been determined, and the Dalton Select Board has accepted the Self-evaluation and Transition Plan, the Town Manager should immediately post the Plan to the Town's Website. It should be recognized, however, that a Self-evaluation & Transition Plan is a living document and can and should be updated and augmented from time to time.

DALTON TOWN OWNED PROPERTIES AND FACILITIES

Town facilities evaluated for this report:

- Town Hall and Police Department - 462 Main Street
- Senior Center – 40 Field Street Extension
- Pump Station – 650 North Street
- Salt Shed / Highway Department – 40 Gulf Road
- Garage – Main Street
- Historical Town Museum – 6 Gulf Road
- Cemetery Office - Main Street
- Cemetery Storage Garage – Ashuelot Cemetery, Ashuelot Street
- Chapel – 357 Main Street
- Pine Grove Park – High Street
- Chamberlain Park - Chamberlain Avenue
- Town Sidewalks – Daly Ave., High Street, Glennon Ave., 1ST Street, Field Street Ext., Carson Ave., Curtis Ave., Flansburg Ave., Mill Street, School Street, and S. Carson Ave.

*Dalton Fire District – 20 Flansburg Ave – the Fire District is not a Town-owned property.

EVALUATION OF TOWN HALL – 462 Main Street

Section 35.151(a), which provided that those facilities that are constructed or altered by, on behalf of, or for the use of a public entity shall be designed, constructed, or altered to be readily accessible to and usable by individuals with disabilities. The path of travel requirements contained in the title III regulation are based on section 303(a)(2) of the ADA, 42 U.S.C 12183(a)(2), which provides that when an entity undertakes an alteration to a place of public accommodation or commercial facility that affects or could affect the usability of or access to an area that contains a primary function, the entity shall ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving it is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.



Dalton Town Hall

Location	Barrier	Suggested Action	Priority*	Timeframe
Approach & Entrance	Non-compliant HC Parking	Add Van Accessible Parking Space	1	Immediate and/or less than 1 year
	HC Ramp non-compliant			
	Missing or Non-compliant Signage at each entrance	Repair ramp surface	1	
	Stairs, either external or internal	Provide compliant signage	1	
Access to Goods and Services	No Push Button Entrance	Re-design entrances	1	Immediate and/or less than 1 year
		Provide automatic push button door openers		
	Direct access to circulation and services inadequate & non-compliant	Provide an accessible interior route to services	2	
Toilet Rooms	No ADA Accessible Service Counters	Provide modified and accessible service counters	2	Immediate and/or less than 1 year
	Non-compliant signage (no Braille signage)	Provide compliant signage at each office	2	
	No Braille Signage	Provide compliant Braille signage	3	
Drinking Fountain	Non-Compliant interior layout; does not allow proper turning radius for wheelchairs	Re-configure bathroom layouts	3	Immediate and/or less than 1 year
	Does not provide compliant clearances for a wheelchair at sinks and/or protection from hot pipes	Re-configure sink features	3	
	Out of Order	Ensure water fountains are accessible & in working order	4	

The Town Hall is Inaccessible

A building is inaccessible if a physical barrier prevents a person with mobility challenges from entering the Town building.

Priorities for Accessibility

There are four priorities that are listed in the Department of Justice ADA Title regulations. These priorities are equally applicable to state and local government facilities.

Priority 1 – Accessible Approach and entrance

Priority 2 – Access to goods and services

Priority 3 – Access to public toilet rooms

Priority 4 – Access to other items such as water fountains

PRIORITY 1 – ACCESSIBLE APPROACH & ENTRANCE: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.1

- 1.1 Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks, and public transportation stops) that does not require the use of stairs? **NO**



Main Entrance to the Town Hall



Ramp to Police Station Entrance

Neither entrance provides push button door openers or direct access to main floor & services



Non-accessible stairs



Service counters in offices do not meet minimally ADA requirements for wheel-chair use pivot



Callahan Meeting Room is accessible, but wheelchairs cannot



Not enough space for wheelchair to move to pivot around

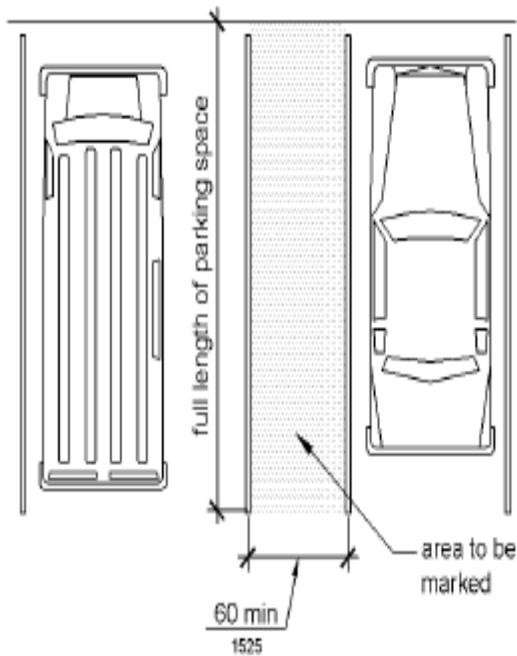


No wheelchair accessibility - Service Counters require section at accessible height

PARKING – 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN 208.2

1.2 Accessible parking spaces should be identified by size, access aisle, and signage. If parking is provided for the public, are an adequate number of accessible spaces provided? An accessible parking space is assigned, and signage is installed. Spaces require an Access Aisle, as shown in the diagram below; see 2010 ADA 502.

1.3 Exterior Accessible Route – Is the route stable, firm, and slip-resistant? **NO**



There is a single on-street Handicap Parking Space for the Town Hall and Police Station, which does not meet accessibility requirements



PRIORITY 2 – ACCESS TO PUBLIC: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.4

2.1 Does the accessible entrance provide direct access to the main floor, lobby, and elevator? NO

There are no ADA compliant and/or accessible routes into Town Hall, due to the absence of compliant parking and approach, compliant ADA directional signage, push-button access at the doors, or ramps either outside or inside that allow access to the Town Hall meeting rooms or services. Once inside, none of the Town Offices are fully compliant and/or accessible, lacking proper signage and ADA wheelchair accessible service counters.

PRIORITY 3 – ACCESS TO PUBLIC TOILET ROOMS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.4

3.1 If toilet rooms are available to the public, is at least one toilet room accessible? (Either one for each sex, or one unisex.) NO

3.2 Are there signs at inaccessible toilet rooms that give directions to accessible toilet rooms? (2010 ADA Standards for Accessible Design – 216.8) NO

3.3 Is there an accessible route to the accessible toilet room (2010 ADA Standards for Accessible Design – 206.2.4) NO



Restroom on 1ST floor of Town Hall is not ADA compliant

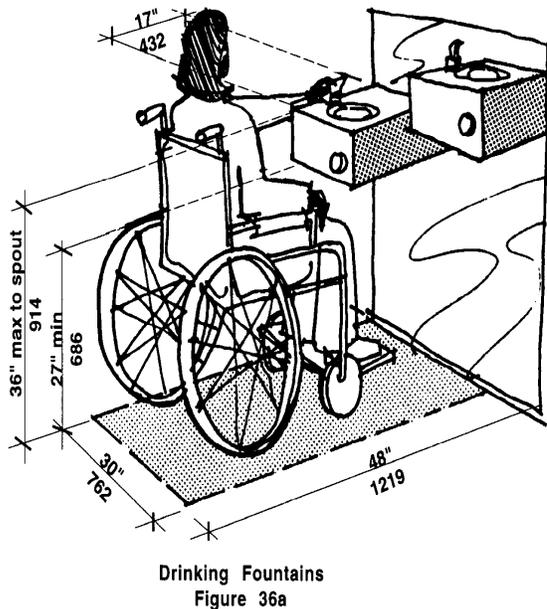


Signage required in Braille & 60" above floor

Additional modifications needed to ADA dispenser heights, signage, and entry.

PRIORITY 4 – ADDITIONAL ACCESS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2

- 4.1 Does at least one drinking fountain have a clear floor space at least 30 inches wide and at least 48 inches long, centered in front of it for a forward approach? **NO**



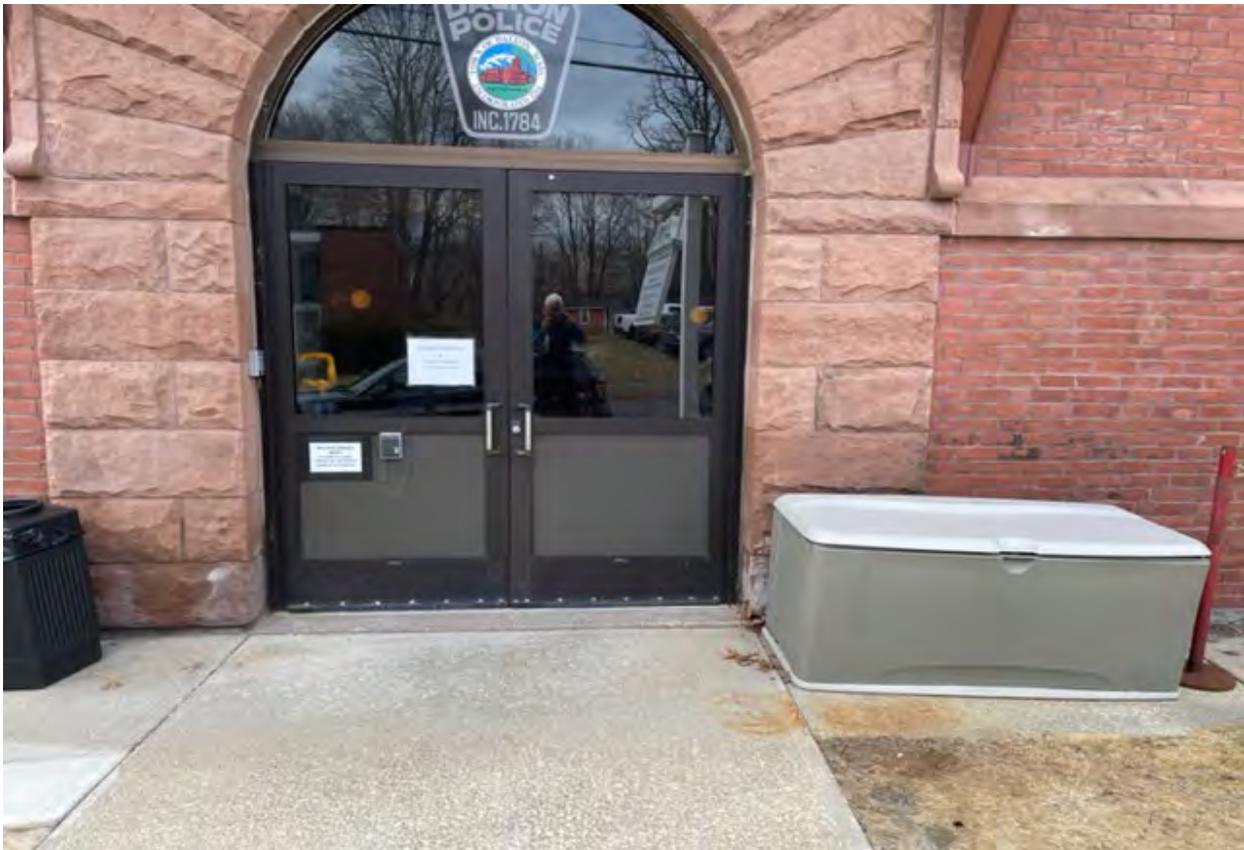
Water Fountain in
Town Hall

The 1991 Standards in section 4.1.1(3) and the 2010 Standards in section 203.9 require employee work areas in new construction and alterations only to be designed and constructed so that individuals with disabilities can approach, enter, and exit the areas. Section 206.2.8 of the 2010 Standards requires accessible common-use circulation paths within employee work areas unless they are subject to exceptions in sections 206.2.8, 403.5, 405.5, and 405.8.

Town Hall lacks ADA compliant accessible routes into the common areas. Circulation paths in the employee work areas and the accessible routes are not at least 36 inches wide. The toilet facilities, access to services, and signage do not comply with section 213 of the 2010 ADA Standards.

EVALUATION OF POLICE STATION – 462 Main Street

Section 35.151(a), which provided that those facilities that are constructed or altered by, on behalf of, or for the use of a public entity shall be designed, constructed, or altered to be readily accessible to and usable by individuals with disabilities. The path of travel requirements contained in the title III regulation are based on section 303(a)(2) of the ADA, 42 U.S.C 12183(a)(2), which provides that when an entity undertakes an alteration to a place of public accommodation or commercial facility that affects or could affect the usability of or access to an area that contains a primary function, the entity shall ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving it is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.



Approach to Police Station Entry is not ADA compliant. Parking, ADA Ramp, as discussed previously are inadequate and not ADA compliant. Door lacks handicap push button access.

Location	Barrier	Suggested Action	Priority*	Timeframe
Approach & Entrance	Non-compliant HC Parking	Add Van Accessible Parking Space	1	Immediate and/or less than 1 year
	HC Ramp non-compliant	Repair ramp surface	1	
	Missing or Non-compliant Signage at each entrance	Provide compliant signage	1	
	Internal flight of stairs requiring disabled individuals to be carried down to the Police Station Lobby, etc.	Re-design entrances	1	
	No Push Button Entrance	Provide automatic push button door openers	1	
Access to Goods and Services	Direct access to circulation and services inadequate & non-compliant	Provide an accessible interior route to services	2	Immediate and/or less than 1 year
	No ADA Accessible Service Counters	Provide modified and accessible service counters	2	
	Non-compliant signage (no Braille signage)	Provide compliant signage at each office	2	
Toilet Rooms	No Braille Signage	Provide compliant Braille signage	3	Immediate and/or less than 1 year
	Non-Compliant interior layout; does not allow proper turning radius for wheelchairs	Re-configure bathroom layouts		
	Does not provide compliant clearances for a wheelchair at sinks and/or protection from hot pipes	Re-configure sink features		
Drinking Fountains	Ensure that water fountains are available and functioning	Ensure water fountains are accessible & in working order	4	6 months - 1 year

The Police Station is Inaccessible

A building is inaccessible if a physical barrier prevents a person with mobility challenges from entering the Town building.

In addition, no services are accessible to members of the public, and all prisoner processing stations and holding cells are non-compliant.

Priorities for Accessibility

There are the four priorities that are listed in the Department of Justice ADA Title regulations. These priorities are equally applicable to state and local government facilities.

Priority 1 – Accessible Approach and entrance

Priority 2 – Access to goods and services

Priority 3 – Access to public toilet rooms

Priority 4 – Access to other items such as water fountains

PRIORITY 1 – ACCESSIBLE APPROACH & ENTRANCE: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.1

- 1.1 Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks, and public transportation stops) that does not require the use of stairs? **NO**

Parking – 2010 ADA Standards for Accessible Design 208.2

- 1.2 Accessible parking spaces should be identified by size, access aisle, and signage. If parking is provided for the public, are an adequate number of accessible spaces provided? **NO**
- 1.3 Exterior Accessible Route – Is the route stable, firm, and slip-resistant? **NO**



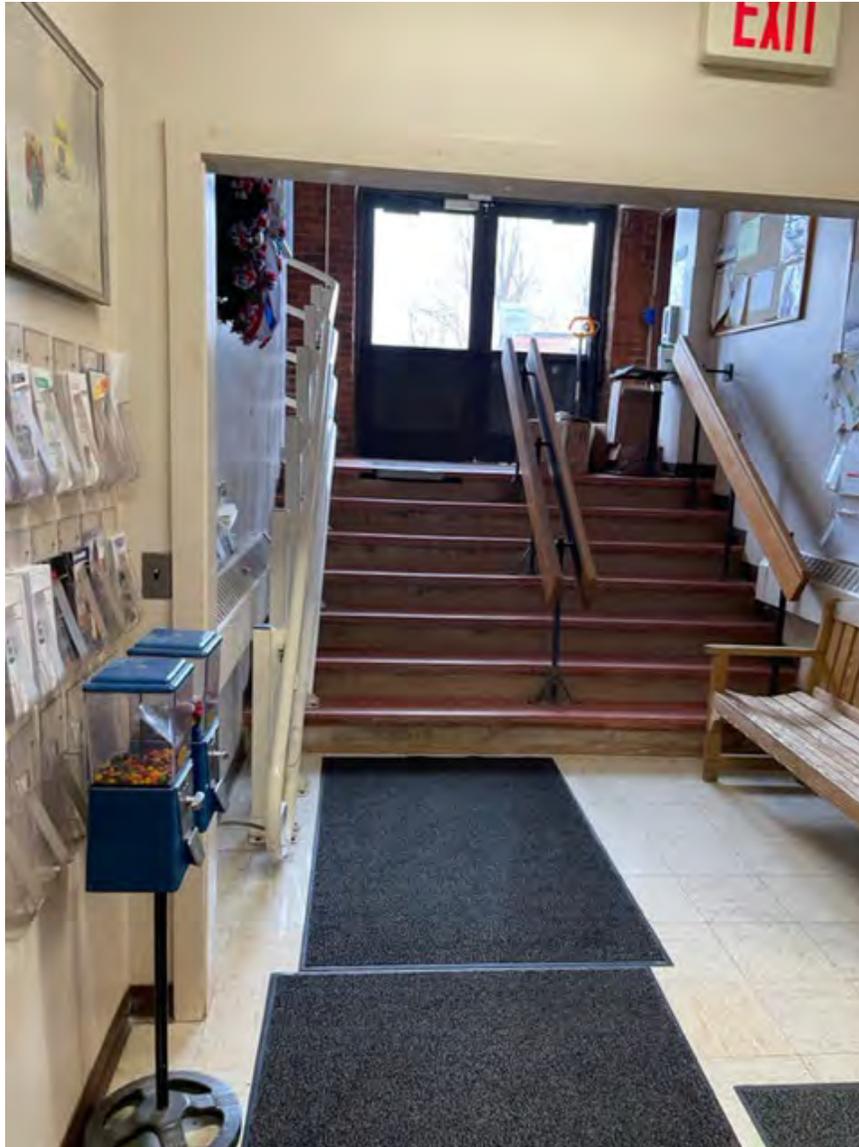
HC Ramp to enter Police Station & Town Hall lacks slip resistant surface and is not ADA compliant; deep grooves in pavement create a danger and obstacle to wheelchair use



Existing chair lift does not allow independent use; and accesses Town Hall main floor but not Police Station

PRIORITY 2 – ACCESS TO PUBLIC: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.4

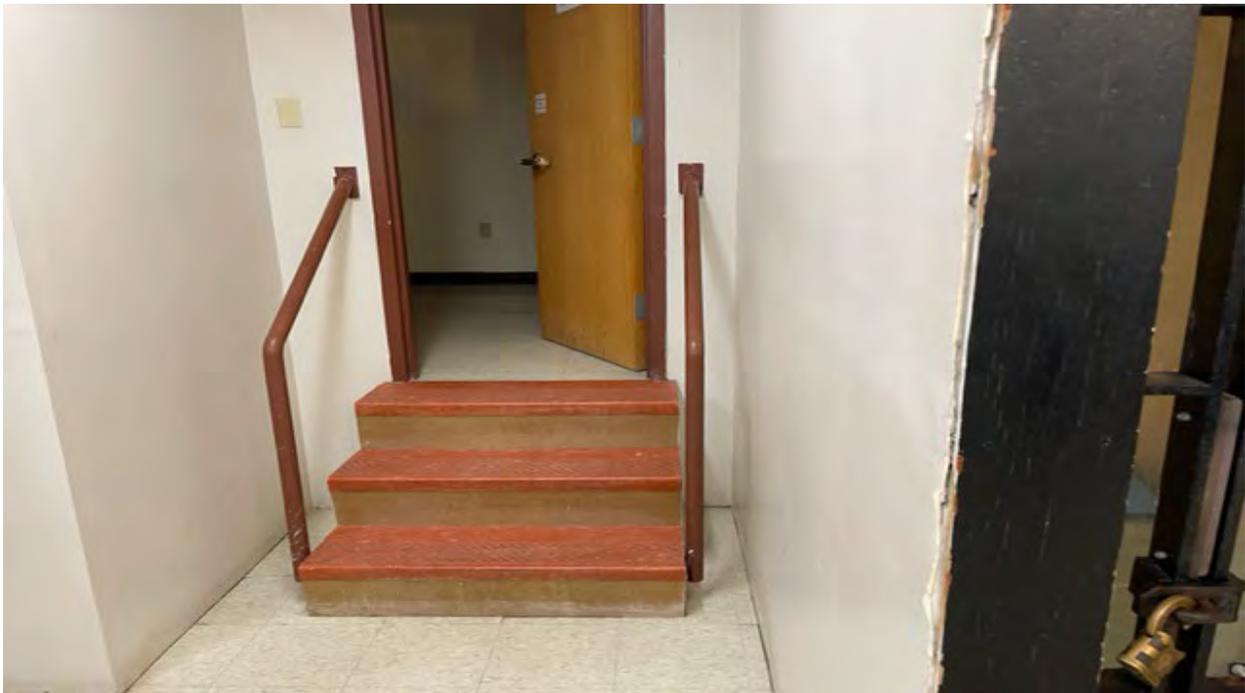
2.1 Does the accessible entrance provide direct access to the main floor, lobby, and elevator? **NO**



Inside entry of the Police Station; no elevator, ramp or lift

PRIORITY 3 – ACCESS TO PUBLIC TOILET ROOMS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.4

- 3.1 If toilet rooms are available to the public, is at least one toilet room accessible? (Either one for each sex or one unisex.) **NO**
- 3.2 Are there signs at inaccessible toilet rooms that give directions to accessible toilet rooms? (2010 ADA Standards for Accessible Design – 216.8) **NO**
- 3.3 Is there an accessible route to the accessible toilet room (2010 ADA Standards for Accessible Design – 206.2.4) **NO**



There is a single, non-compliant, restroom available at the Police Station, which is only accessible by a set of stairs, lacks ADA signage and is not ADA compliant on the interior.

PRIORITY 4 – ADDITIONAL ACCESS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2

3.4 Does at least one drinking fountain have clear floor space at least 30 inches wide and at least 48 inches long, centered in front of it for a forward approach? **NO**

The 1991 Standards in section 4.1.1(3) and the 2010 Standards in section 203.9, require employee work areas in new construction and alterations only to be designed and constructed so that individuals with disabilities can approach, enter, and exit the areas. Section 206.2.8 of the 2010 Standards requires accessible common use circulation paths within employee work areas unless they are subject to exceptions in sections 206.2.8, 403.5, 405.5, and 405.8.

ADDITIONAL ISSUES:

The Police Station must ADA accessible for the following purposes:

- Receiving Citizen Complaints
- Interrogating witness
- Arresting, booking and holding suspects
- Operating telephone (911) emergency centers
- Providing emergency medical services
- Enforcing laws
- Other duties

Currently, at the Dalton Police Station here are no accessible service counters, waiting areas or restrooms for members of the general public.

There are also no ADA compliant areas for processing and holding disabled detainees.

The single holding cell consists of 2 mattresses on the floor of the cell. This arrangement clearly does not allow for wheelchair access and cannot accommodate a detainee who lacks the ability to sit and/or rise from the floor.

There are no ADA accessible restrooms in the holding area.



Holding Cell at the Police Station

EVALUATION OF SENIOR CENTER – 40 Field Street Extension

Section 35.151(a), which provided that those facilities that are constructed or altered by, on behalf of, or for the use of a public entity shall be designed, constructed, or altered to be readily accessible to and usable by individuals with disabilities. The path of travel requirements contained in the title III regulation are based on section 303(a)(2) of the ADA, 42 U.S.C 12183(a)(2), which provides that when an entity undertakes an alteration to a place of public accommodation or commercial facility that affects or could affect the usability of or access to an area that contains a primary function, the entity shall ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving it is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.



Location	Barrier	Suggested Action	Priority*	Timeframe
Approach & Entrance	Compliant HC Parking	Additional Connecting Sidewalks on the exterior of the property are desirable	1	N/A
	All HC ramps are compliant		1	
	All Signage is compliant		1	
	No stairs or other barriers to access		1	
	Automatic Push Button Entrances		1	
Access to Goods and Services	Direct access to circulation and services is compliant		2	N/A
	ADA Accessible Service Counters		2	
	Braille signage in place		2	
Toilet Rooms	Braille signage in place	Storage of supplies within bathroom floorspace and shower stalls should be discouraged	3	N/A
	Compliant interior layout			
	Provide compliant clearances for wheelchairs at sinks and/or protection from hot pipes			
Drinking Fountains	Water fountains are available and functioning		4	N/A

Fully Accessible

A fully ADA accessible building allows full access to Town buildings as well as programs and services for a wheeled mobility device user or person with mobility challenges including those using a wheeled mobility device.

Priorities for Accessibility

There are the four priorities that are listed in the Department of Justice ADA Title regulations. These priorities are equally applicable to state and local government facilities.

Priority 1 – Accessible Approach and entrance

Priority 2 – Access to goods and services

Priority 3 – Access to public toilet rooms

Priority 4 – Access to other items such as water fountains

PRIORITY 1 – ACCESSIBLE APPROACH & ENTRANCE: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.1

- 1.1 Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks, and public transportation stops) that does not require the use of stairs? **YES**

Parking – 2010 ADA Standards for Accessible Design 208.2

- 1.2 Accessible parking spaces should be identified by size, access aisle, and signage. If parking is provided for the public, are an adequate number of accessible spaces provided? **Accessible parking spaces are assigned, and signage is installed. Spaces require an Access Aisle as shown in the diagram below; see 2010 ADA 502.**



Senior Center Handicap Parking and signage

PRIORITY 2 – ACCESS TO THE PUBLIC: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.4

- 2.1 Does the accessible entrance provide direct access to the main floor, lobby, and elevator? YES



Service counter inside Senior Center

**PRIORITY 3 – ACCESS TO PUBLIC TOILET ROOMS: 2010 ADA
STANDARDS FOR ACCESSIBLE DESIGN – 206.2.4**

- 3.1 If toilet rooms are available to the public, is at least one toilet room accessible?
(Either one for each sex or one unisex.) **YES**
- 3.2 Are there signs at inaccessible toilet rooms that give directions to accessible toilet rooms? (2010 ADA Standards for Accessible Design – 216.8) **YES**
- 3.3 Is there an accessible route to the accessible toilet room (2010 ADA Standards for Accessible Design – 206.2.4) **YES**



Restroom in Senior Center



Toilet in Senior Center

Note ample wheelchair turning radius, comfort height toilets, grab bars and properly located dispensers



PRIORITY 4 – ADDITIONAL ACCESS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2

4.1 Does at least one drinking fountain have clear floor space at least 30 inches wide and at least 48 inches long, centered in front of it for a forward approach? **YES**

The 1991 Standards in section 4.1.1(3), and the 2010 Standards in section 203.9, require employee work areas in new construction and alterations only to be designed and constructed so that individuals with disabilities can approach, enter, and exit the areas. Section 206.2.8 of the 2010 Standards requires accessible common-use circulation paths within employee work areas unless they are subject to exceptions in sections 206.2.8, 403.5, 405.5, and 405.8.

The Senior Center has accessible routes into the common areas, and all circulation paths in the employee work areas and accessible routes are at least 36 inches wide. The toilet facilities, access to services, and signage comply with section 213 of the 2010 ADA Standards. There are areas that need to be maintained and ADA routes that must be clear and not blocked.

EVALUATION OF TOWN GARAGES – 6 Gulf Road and Main Street

Section 35.151(a) provided that those facilities that are constructed or altered by, on behalf of, or for the use of a public entity shall be designed, constructed, or altered to be readily accessible to and usable by individuals with disabilities. The path of travel requirements contained in the title III regulation is based on section 303(a)(2) of the ADA, 42 U.S.C 12183(a)(2), which provides that when an entity undertakes an alteration to a place of public accommodation or commercial facility that affects or could affect the usability of or access to an area that contains a primary function, the entity shall ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving it is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

Location	Barrier	Suggested Action	Priority*	Timeframe
Approach & Entrance	Non-compliant HC Parking	Add Van Accessible Parking Space	1	2-3 years
	HC Ramp non-compliant	Repair ramp surface	1	
	Missing or Non-compliant Signage at each entrance	Provide compliant signage	1	
	Stairs, either external or internal	Re-design entrances	1	
	No Push Button Entrance	Provide automatic push button door openers	1	
Access to Goods and Services	Direct access to circulation and services inadequate & non-compliant	Provide an accessible interior route to services	2	2-3 years
	No ADA Accessible Service Counters	Provide modified and accessible service counters	2	
	Non-compliant signage (no Braille signage)	Provide compliant signage at each office	2	
Toilet Rooms	No Braille Signage	Provide compliant Braille signage	3	2-3 years
	Non-Compliant interior layout; does not allow proper turning radius for wheelchairs	Re-configure bathroom layouts		
	Does not provide compliant clearances for a wheelchair at sinks and/or protection from hot pipes	Re-configure sink features		
Drinking Fountains		Ensure water fountains are accessible & in working order	4	2-3 years

The Town Garage is Inaccessible

A building is inaccessible if a physical barrier prevents a person with mobility challenges from entering the Town building.

The Dalton Town Garage is not customarily visited by members of the public, although occasionally, this does occur. In addition, ADA accessibility is also required for the benefit of employees, and the lack of accessibility may prevent some individuals from applying for employment with the town.

There is not an accessible route or an accessible entrance.



Highway Garage – Gulf Road
Entrance



No signage or ADA parking at

Currently, the Highway Department Garage is not readily accessible to and usable by individuals in wheelchairs.



Garage – Main Street

Priorities for Accessibility

There are four priorities that are listed in the Department of Justice ADA Title regulations. These priorities are equally applicable to state and local government facilities.

Priority 1 – Accessible Approach and entrance

Priority 2 – Access to goods and services

Priority 3 – Access to public toilet rooms

Priority 4 – Access to other items such as water fountains



PRIORITY 1 – ACCESSIBLE APPROACH & ENTRANCE: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.1

- 1.1 Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks, and public transportation stops) that does not require the use of stairs? **YES**

Parking – 2010 ADA Standards for Accessible Design 208.2

- 1.2 Accessible parking spaces should be identified by size, access aisle, and signage. If parking is provided for the public, are an adequate number of accessible spaces provided? **Accessible parking spaces are assigned, and signage is installed.**
- 1.3 Exterior Accessible Route – Is the route stable, firm, and slip-resistant? **YES**

PRIORITY 2 – ACCESS TO PUBLIC: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.4

- 2.1 Does the accessible entrance provide direct access to the main floor, lobby, and elevator? **NO**

PRIORITY 3 – ACCESS TO PUBLIC TOILET ROOMS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2.4

- 3.1 If toilet rooms are available to the public, is at least one toilet room accessible? (Either one for each sex or one unisex.) **NO**
- 3.2 Are there signs at inaccessible toilet rooms that give directions to accessible toilet rooms? (2010 ADA Standards for Accessible Design – 216.8) **NO**



3.4 Is there an accessible route to the accessible toilet room (2010 ADA Standards for Accessible Design – 206.2.4) **NO**

PRIORITY 4 – ADDITIONAL ACCESS: 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN – 206.2

4.2 Does at least one drinking fountain have clear floor space at least 30 inches wide and at least 48 inches long, centered in front of it for a forward approach? **NO**

The 1991 Standards in section 4.1.1(3) and the 2010 Standards in section 203.9, require employee work areas in new construction and alterations only to be designed and constructed so that individuals with disabilities can approach, enter, and exit the areas. Section 206.2.8 of the 2010 Standards requires accessible common-use circulation paths within employee work areas unless they are subject to exceptions in sections 206.2.8, 403.5, 405.5, and 405.8.

Town Hall and the Police Station have accessible routes into the common areas, and all circulation paths in the employee work areas and accessible routes are at least 36 inches wide. The toilet facilities, access to services, and signage comply with section 213 of the 2010 ADA Standards.



APPENDIX A:

Parks and Playgrounds - ADA Assessment



PARKS AND PLAYGROUNDS ADA ASSESSMENT PLAYGROUNDS ADA ACCESS

GENERAL DISCUSSION

Providing ADA access to parks and playgrounds is based on the general principle that both disabled and able-bodied users should have access to the same experience at each facility. One of the most basic features of ADA access is the accessible route. An accessible route is a pathway that links various park elements so that a user in a wheelchair can move throughout the facility. Accessible routes must have an accessible surface, such as asphalt or concrete. Grass and turf are not considered accessible surfaces. The accessible route must also meet requirements related to the grade, as wheelchairs cannot easily traverse steep areas.

Playground surfaces must also be accessible while simultaneously providing safety from potential falls. Only two materials meet the requirements for both wheelchair accessibility and fall protection. These are poured-in-place rubber and engineered wood fiber mulch. Engineered wood fiber mulch is able to be compacted much more efficiently than commonly used wood chips, which allows it to be used as an accessible surface. However, like with wood chips, it requires regular maintenance to ensure consistent depth and even surfaces. The poured-in-place rubber surfacing is much more expensive than engineered wood fiber mulch. However, it requires little maintenance once in place. Some playgrounds use a combination of poured-in-place rubber and engineered wood fiber to reduce costs. This usually includes rubber at high-wear locations such as underneath swings or the bottom of slides.

Modern play equipment is built with safety in mind. Potential falls are mitigated by safety railings and safety surfacing. Play equipment usually includes both elevated (slides, etc.) and on-ground elements (swings, diggers, etc.). Elevated equipment is typically accessed via what is called a transfer station or system. This allows someone who can leave their wheelchair to access the equipment. Providing ramps to access elevated play equipment is still the gold standard. On playgrounds with fewer than 20 elevated components, components must be connected by ramps or transfer systems; however, ramps are not mandatory.



GENERAL ISSUES THROUGHOUT DALTON PARKS AND PLAYGROUNDS

Lack of Accessible Routes

Dalton's parks and playgrounds lack accessible routes by which disabled persons may access and enjoy the facilities. Park components and facilities are connected by gravel, lawn and turf, which are not considered accessible surfaces.

Safety Surfacing Needs Attention and Regular Maintenance

All play components lack any safety surfacing.

No Accessible Benches or Tables

Benches and tables throughout parks and play areas are not accessible. Five percent (5%) of the tables or at least one (if less than 20 are provided) must be accessible. Accessible benches are usually a standard park bench with a minimum 5'x5' space adjacent to the bench for a wheelchair to pull up beside. Accessible picnic tables are designed to give knee clearance to a person using a wheelchair. There are a variety of types available that can provide side, single-end, or double-end access. Accessible tables should be located on an accessible route and an accessible surface.

PARK AND PLAYGROUND ASSESSMENT

Chamberlain Park – Chamberlain Ave

Elements: Playground equipment, playing field, concession stand, picnic tables

Issue: There are no accessible routes to the concession or play area.

Solution: Create an accessible parking space that can be used to access the park.

Issue: There is no accessible route to any of the park elements.

Solution: Install an accessible route to each of the major park elements (playground equipment, baseball field, or concession stand).



Issue: Playground surface material needs maintenance. Equipment lacks any safety surfacing at all.

Solution: Rake safety surface to ensure consistent and sufficient depth. Replace with new material, as necessary. Install new safety surfacing beneath equipment.



Entrance to Chamberlain Park – no ADA parking



Non-ADA compliant route to the bleachers



Concession Stand - no accessible route accessibility



Restroom Entrances lack signage and

Pine Grove Park – High Street, Dalton, MA

Elements: Playground equipment, benches, picnic tables

Issue: There is no accessible parking adjacent to the park and playground

Solution: Create an accessible parking space that can be used to access the park.

Issue: There is no accessible route to any of the park elements.

Solution: Install an accessible route to each of the major park elements

Issue: No playground safety surface

Solution: Install safety surfacing.

Issue: Benches are not wheelchair accessible and not located on an accessible route. 5% of the tables or at least one (if less than 20 are provided) must be accessible.

Solution: Install at least one accessible bench



Playground at Pine Grove Park



No Safety Surface at playground



Parking Lot and entrance to the restrooms



No ADA Signage for Restrooms



No accessible path to Pavilion



No accessible path to Bleachers
Bleachers



No ADA Parking or ADA path to



APPENDIX B:

Cemetery Office, Garage, and Chapel – ADA Assessment

Cemetery Office, Garage, and Chapel ADA Assessment – North Street

Elements: Cemetery Office, Chapel, and Garage

Issue: There is no ADA accessible route to any of the elements.

Solution: Install an ADA accessible route to each of the major elements.



Chapel



Entrance into the Chapel



Cemetery office and garage



Entrance to the office



APPENDIX C:

Fire District – ADA Assessment



EVALUATION OF FIRE DISTRICT

Dalton Fire District, 20 Flansburg Ave. (not town property)

Section 35.151(a), which provided that those facilities that are constructed or altered by, on behalf of, or for the use of a public entity shall be designed, constructed, or altered to be readily accessible to and usable by individuals with disabilities. The path of travel requirements contained in the title III regulation are based on section 303(a)(2) of the ADA, 42 U.S.C 12183(a)(2), which provides that when an entity undertakes an alteration to a place of public accommodation or commercial facility that affects or could affect the usability of or access to an area that contains a primary function, the entity shall ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving it is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.



Dalton has one fire department, as seen below:



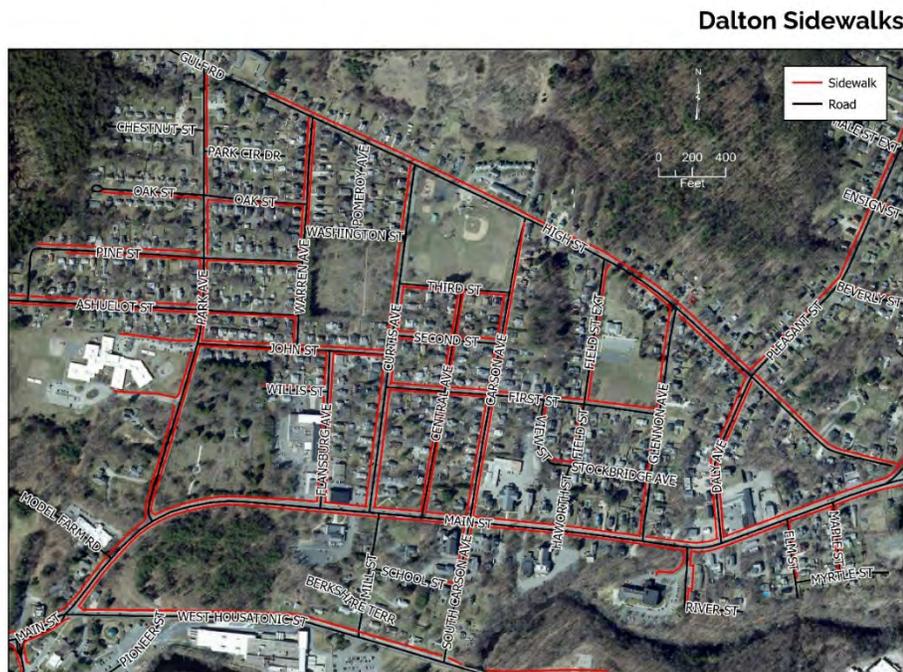
Dalton Fire Department



Dalton Fire Department

APPENDIX D:

Sidewalks – ADA Assessment



The center of Dalton is graced with a network of sidewalks that serve to connect visitors and residents to its small commercial district, town services, recreational facilities, and residential areas. Many small, rural communities have no sidewalks at all. While Dalton’s sidewalk system is in need of upgrading to meet current ADA standards, the existing system greatly contributes to the warm and inviting atmosphere and walkability of the town. Most segments of sidewalk represented here do require ADA upgrades, general maintenance, and improvement. However, it is commendable that the connectivity provided by Dalton’s sidewalks, and the commitment to maintain them, has remained a priority to the Town.



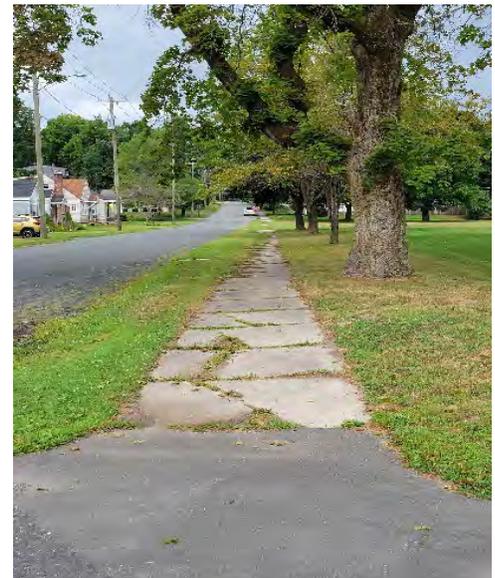
Police Station – S. Carson Ave High Street



Glennon Ave looking to



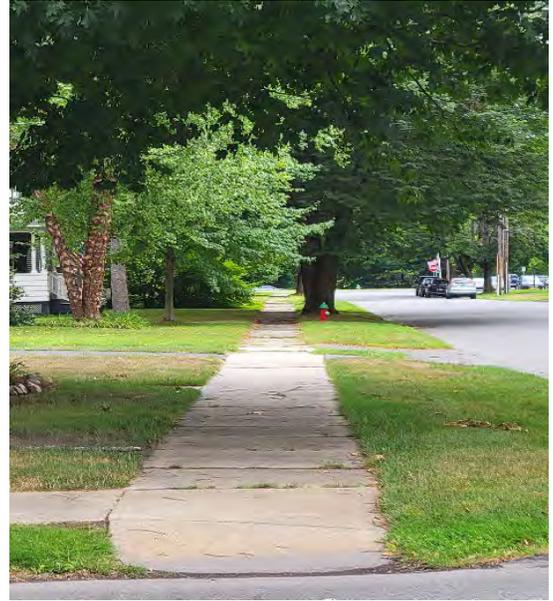
Glennon Ave. looking toward Main Street (Rt 8)



First St – looking west



Field St Ext. looking toward Main St (RT 8)
Main Street



Carson Ave looking towards
Main Street



Looking down First Street / Carson

Dalton Sidewalks





Dalton ADA Sidewalk evaluation							
Street	From Street	To Street	Rating (1= bad, 4= good)	Priority/ Barrier	Length (miles)	Time Frame	Suggested Action
South Carson Ave	Main St.	West Housatonic St.	2	Medium		5-10 years	Monitor and Replace
Daly Ave.	Main St.	High St.	2	Medium	0.18	5-10 years	Monitor and Replace
High St.	Daly Ave	Gulf Rd.	4	Low	0.91	10-15 years	Monitor and Maintain
Glennon Ave	Main St.	High St.	2	Medium	0.26	5-10 years	Monitor and Replace
First St.	Glennon Ave.	Curtis Ave	2	Medium	0.62	5-10 years	Monitor and Replace
Field St. Ext.	South St.	Church St.	2	Medium	0.24	10-15 years	Monitor and Replace
Carson St.			2	Medium	0.35	10-15 years	Monitor and Replace
Flansburg Ave	Main St.	John St.	3	Medium	0.5	5-10 years	Monitor and Replace
Notes: (1) Sidewalks on MassDOT maintained roadways were not evaluated. (2) The Federal Code of Regulations, 28 CFR Part 35, Section 35.151 requires that newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways.							

A Checklist for Accessible Sidewalks and Street Crossings

The Americans with Disabilities Act (ADA) requires that new and altered facilities be accessible. Title II of the ADA covers sidewalk and street construction and transit accessibility, referencing the ADA Accessibility Guidelines (ADAAG) or the Uniform Federal Accessibility Standards (UFAS) for new construction and alterations undertaken by or on behalf of a state or local government. The Department of Justice (DOJ) title II regulation specifically requires that curb ramps be provided when sidewalks or streets are newly constructed or altered. (Requirements for **existing** pedestrian networks not otherwise being altered are also included in the DOJ regulation, available online at www.ada.gov/reg2.html). The ADA Accessibility Guidelines (www.access-board.gov/adaag/html/adaag.htm) include standards for site development applicable to **new construction and alterations** in the public right-of-way.

CURB RAMPS

- A curb ramp or other sloped area is required wherever a new or altered pedestrian walkway crosses a curb or other barrier to a street, road, or highway. Similarly, a curb ramp is required wherever a new or altered street intersects a pedestrian walkway. A curb ramp may be perpendicular to the curb it cuts or parallel with the sidewalk. Other designs may also comply, including sidewalks that ramp down to a lesser curb height, with a short perpendicular curb ramp to the street, blended or at-grade connections, or raised crossings that connect at sidewalk level.
- The running slope of a new curb ramp should not exceed 1 in 12 (8.33%). Steeper ramps are not usable by many pedestrians in wheelchairs and scooters. Cross slope should be limited to 1:48 (2%).
- A level landing should be provided at the top of a perpendicular curb ramp. A curb ramp must connect at the top to a level landing that is at least 48 inches



(1220 mm) deep with a cross slope of no more than 1:48 (2%). The side flares of a curb ramp are not intended for accessible travel (the slope of a side flare is limited so that it will not present a tripping hazard to pedestrians).

- **The foot of a curb ramp should be contained within the crosswalk markings.** Pedestrians who use wheelchairs should not be directed outside the crosswalk or into an active travel lane in order to cross stopped traffic. If a diagonal ramp is used, a 48-inch long (1220 mm) bottom landing must be provided in the space between the curb radius and curb line extensions.
- **The transition from curb ramp to the gutter should be flush.** Lips are not permitted. Gutter counter slope in the line of travel should not exceed 1 in 20 (5%) and should connect smoothly with other elements of the pedestrian network.
- **The boundary between the sidewalk and street should be detectable underfoot.** A 24-inch strip of truncated dome (detectable warning) material should be provided the full width of the ramp or other uncurbed connection to the crosswalk so that pedestrians do not inadvertently travel into the street.

SIDEWALKS

- **A new sidewalk should be wider than the minimum accessible travel width of 36 inches (915 mm).** Additional maneuvering space is necessary for a pedestrian using a wheelchair to turn, to pass by other pedestrians, to operate and pass through an entrance door, to use a sidewalk telephone or to activate a pedestrian crossing button. A 60-inch (1525-mm) minimum width can accommodate turns and passing space and is recommended for sidewalks adjacent to curbs in order to provide travel width away from the drop-off at street edge; a 48-inch width can accommodate side-by-side travel with a service animal.
- **The cross slope of a sidewalk should not exceed 1:48 (2%).** Excessive cross slope requires additional energy to counteract and tends to direct wheelchair users into the street, particularly when it is wet, icy, or snowy underfoot. At

- 
- driveways there should be a minimum 36inch (915 mm) wide passage with a cross slope of no more than 1:48 (2%). Corners at intersections should comply
- in both directions, since the running slope of one walkway will be the cross slope of another.
 - **Street furniture, plantings, and other fixed items should not protrude into travel routes.** Pedestrians with vision impairments can detect objects mounted on walls or posts if they are installed so that the leading edge is less than 27 inches (685 mm) above the sidewalk. Items mounted above this height should not project more than 4 inches (100 mm) into any circulation route. Particular care should be taken to locate temporary signage so that it does not impede pedestrian travel.

STREET CROSSINGS

- **Consider the information needs of blind and low-vision pedestrians at intersections.** When pedestrian signals are provided, their crossing and timing information should be available to all users. The audible and vibrotactile information delivered at the pedestrian button of an accessible pedestrian signal (APS) can identify pedestrian signal phases and provide other nonvisual information about the nature of a crossing.
- **Insufficient crossing time may be a barrier for some pedestrians.** Every pedestrian cohort should be expected to contain some walkers whose rate of travel is less than 3.5 feet per second. Some jurisdictions add additional time using video technology; others employ a pedbutton to call for a longer crossing cycle.

TEMPORARY WORK

- **Temporary work should be accessible.** Where construction blocks a public sidewalk for more than a short time, an alternate accessible route should be



provided that is cane detectable. Sidewalk barriers should be continuous and cane detectable as well. Temporary events and facilities should also meet accessibility criteria.

OTHER PEDESTRIAN FEATURES

- **Pedestrian facilities on and along sidewalks must be accessible.** Signal actuating buttons, drinking fountains, telephones, kiosks, and other pedestrian elements should meet accessibility criteria for approach and maneuvering space, reach range, and operation.

The development of additional rights-of-way guidelines is underway and can be monitored on the U.S. Access Board's website at www.access-board.gov. The Board also maintains a toll-free technical assistance line at 800/872-2253 (V); 800/993-2822 (TTY).



APPENDIX E:

Required Draft Notices



DRAFT

Town of Dalton, Massachusetts,

Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Dalton. The Town's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination, such as the name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to Ms. Alyssa Maschino, ADA Coordinator, 462 Main Street, Dalton, MA 01262, (413) 298-4170 x100.

Within 15 calendar days after receipt of the complaint, Alyssa Maschino or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Ms. Maschino or her designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town and offer options for substantive resolution of the complaint.

If the response by Alyssa Maschino, or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Select Board or their designee.

Within 15 calendar days after receipt of the appeal, the Select Board or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Select Board or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Ms. Alyssa Maschino or her designee, appeals to the Select Board or their designee, and responses from these two offices will be retained by the Town for at least three years.

DRAFT ADA Notice

Notice Under the Americans with Disabilities Act

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, the Town of Dalton will not discriminate against qualified individuals with disabilities on the basis of disability in the Town's services, programs, or activities.

Employment: The Town does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The Town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all Town programs, services, and activities. For example, individuals with service animals are welcomed in Town offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a Town program, service, or activity, should contact Ms. Alyssa Maschino, ADA Coordinator, 462 Main Street, Dalton, MA 01226, (413) 684-6111 ext. 202, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a Town program, service, or activity is not accessible to persons with disabilities should be directed to Ms. Alyssa Maschino, ADA Coordinator, 462 Main Street, Dalton, MA 01226, (413) 684-6111 ext. 202.

The Town will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



DRAFT ADA Coordinator Designation

Designing a Responsible Employee

ADA Coordinator Designation Form

ADA Coordinator Name: Alyssa Maschino

Name of City/Town Department that ADA Coordinator Works: Town of Dalton

Job Title: Administrative Assistant

E-Mail: amaschino@dalton-ma.gov

Phone: 413-684-6111 x 202

Address: 462 Main Street, Dalton, MA 01226

Date Appointed:

Is this Appointment: Permanent

Does this ADA Coordinator report directly to the appointing authority? Yes

ADA Coordinator Duties: Part Time

Direct Supervisor (Name and Title): Tom Hutcheson, Town Manager

Appointing Authority Signature:

Date:

ADA Coordinator Signature:

Date:

Please send a copy of the completed form to The Massachusetts Office on Disability, 1 Ashburn Place,

Room 13055 or email to mod-info@state.ma.us, or fax to 617 727-0965

APPENDIX F:

References and Resources



Organizations

- Adaptive Environments, 374 Congress Street, Suite 310, Boston, MA 02210. (800) 949-4232 (v/tty); <http://www.adaptenv.org/>.
- American National Standards Institute, 1819 L Street, NW, Washington, DC 20036. (202) 293.8020; Fax: (202) 293.9287; <http://www.ansi.org/>.
- The Access Board, 1331 F Street, NW, Suite 1000, Washington, DC 20004-1111. (202) 272-5434 (v), (202) 2725449 (tty), (202) 272-5447 (fax). Federal standards: <http://www.access-board.gov/adaag/html/adaag.htm>.
- Massachusetts Architectural Access Board, One Ashburton Place, Room 1310, Boston, MA 02108. (617) 7270660 (v and tty), (617) 727-0665 (fax). State standards: http://www.state.ma.us/aab/aab_regs.htm.
- Massachusetts Office on Disability, One Ashburton Place, Room 1305, Boston, MA 02108. (617) 727-7440 or (800) 322-2020 (voice and TTY); <http://www.magnet.state.ma.us/mod>.
- National Center on Accessibility, Indiana University, 2805 East 10th St, Suite 190, Bloomington, IN 47408-2698. (812) 856-4422 (Voice), (812) 856-4421 (tty), (812) 856-4480 (Fax); <http://www.ncaonline.org/>.
- U.S. Architectural and Transportation Barriers Compliance Board (“The Access Board”), 1331 F Street, NW, Suite 1000, Washington, DC 20004-1111. (800) 872-2253, (800) 993-2822 (tty), (202) 272-5447 (fax). Online at <http://www.access-board.gov>.

Publications

- *2010 ADA Standards for Accessible Design*; The Department of Justice
- *ADA Guide for Small Towns*; U.S. Department of Justice, Civil Rights Division
- *36 CFR Part 1191: Americans with Disabilities Act Accessibility Guidelines; Recreation Facilities*. U.S.

- *Architecture and Transportation Compliance Board*. Federal Register (July 9, 1999). Washington, D.C.
- *36 CFR Part 1191: Americans with Disabilities Act Accessibility Guidelines; Play Areas*. U.S. Architecture and Transportation Compliance Board. Federal Register (April 30, 1998). Washington, D.C.
- *ADA Transition Plan Workbook*. State House Bookstore, State House, Room 116, Boston, MA 02133.
- *Americans With Disabilities Act Resource Guide for Park, Recreation, and Leisure Service Agencies, First Edition*. Lynn M. Casciotti, Editor. National Recreation and Park Association, Arlington VA, 1992.
- *Americans with Disabilities Act, Public Law 226, 101st Congress*. U.S. Government Printing Office, July 26, 1990.
- *Designing Sidewalks and Trails for Access: Review of Existing Guidelines and Practices*. Barbara McMillen (editor). U.S. Department of Transportation, 1999.
- *Everyone's Nature: Designing Interpretation to Include All*. Carol Hunter. Falcon Press Publishing Co., Inc., Helena, Montana, 1994.
- *Play for All Guidelines: Planning, Designing and Management of Outdoor Play Settings for All Children*. Robin Moore et al. MIG Communications, 1992.
- *Reasonable Accommodation: Profitable Compliance with the Americans with Disabilities Act*. Jay W. Spechler. St. Lucie Press, Delray Beach FL, 1996.
- *The Americans with Disabilities Act: A Review of Best Practices*. Timothy Jones. American Management Association Membership Publications Division, New York, 1993.
- *Universal Access to Outdoor Recreation: A Design Guide*. PLAE, Inc., Berkeley CA, 1993.
- *Universal Trail Assessment Coordinator Training Guide*. P. Axelson et al. Pax Press, Santa Cruz, 1997.



Potential Funding Sources for Implementation

- Massachusetts Office on Disability: <https://www.mass.gov/orgs/massachusetts-office-on-disability>
- United States Department of Agriculture: <https://www.rd.usda.gov/programs-services/all-programs/community-facilities-programs>
- Community Development Block Grant – Architectural Barrier Removal: <https://www.mass.gov/files/documents/2017/12/04/Architectural%20Barrier%20Removal.pdf>
- Complete Streets: <https://www.mass.gov/complete-streets-funding-program>
- MassWorks: <https://www.mass.gov/orgs/massworks>